

REMARKS

This application contain claims 1-12 and 15-22 with independent claims 1, 18 and 20. Claims 1-3, 15, 17, 18 and 20 have once again been rejected under 35 U.S.C. 102 as anticipated by or, in the alternative, under 35 U.S.C. 103 as obvious over U.S. Patent No. 6,391,400 to Russell et al. as detailed at item 2 on pages 2 and 3 of the Patent Office Action. Dependent claims 4-6 are rejected over the combination of Russell and Allemand et al. U.S. Patent No. 6,178,034, while claim 8 is rejected over the combination of Russell and Coleman U.S. Patent No. 4,731,289. Claims 7, 16 and 21 are rejected over the combination of Russell and U.S. Patent No. 5,976,702, while claims 8 and 9 are rejected over the combination of Russell and Allemand. Lastly, claims 10-12 are rejected over the combination of Russell and Rensch U.S. Patent No. 6,092,915.

Stated in its simplest form, each of independent claims 1, 18 and 20 are addressed to providing a coating on an interior surface of a cabin of a passenger airplane in order to reflect the heat (radiation) from a passenger.

According to the "Response to Arguments", section 11 of the final Office Action, Applicants' previous arguments, that the glass of Russell is a double pane of glass, is not persuasive to the Examiner because, according to the Examiner, the glass may be a single pane with a coating as seen in column 6, at lines 56-60 of Russell. On this basis, the Examiner contends that Applicants arguments were flawed and are fully addressed in the final rejection.

According to the statement of the rejection, Russell discloses a heat reflective coating with a low thermal emission coefficient of less than 0.5 as

indicated at column 2, lines 11-24 and particularly lines 20-24 in order to provide improved radiation exchange with a passenger "at least for the reason that it is made of the same materials as the Applicants and is coated in the same way". Further, it is stated, according to the rejection, that the coating is on the interior glass to stop emission and trap heat, referring to column 2, lines 5-12 of Russell. The Examiner maintains "that the glass as seen in column 6 at lines 56-60, is a single pane of glass or glazing with a thermal control film adhered to a face of it". The conclusion of Examiner is that it would have been obvious to one skilled in the art to have applied the film to interior of the glass because there are only two surfaces to the glass and one is inside and "one on the outside". Knowing this, one of ordinary skill in the art would have been motivated, again according to the Examiner, to place the film on the side which is most effective, so that it would have been placed on the inside of the glass for the properties and reasons as stated in the reference of stopping emission and trapping heat.

Applicants respectfully submit that column 6, lines 56-60 of Russell discuss a glazing assembly having a glazing substrate with at least one face and a thermal control film or a composite thermal control film adhered to the face. It must be emphasized that claim 1 provides a function for to this assembly by reciting the substrate with at least one face and a thermal control film on that face wherein "said thermal control film is used in vehicular gazing or in architectural glazing and allows the transmittance through the film of a majority of the infrared radiation incident upon the thermal control film in the 7 to 20 micron wavelength region that is emitted by interior materials in the enclosed

space". It is for this reason, that Applicants again urge that this recitation at column 6, lines 56-60 of the reference to Russell has nothing to do with "stopping emission" and "trapping heat". The present invention has the infrared radiation from the interior materials (passenger) in the enclosed space which is not transmitted through the coating but is REFLECTED towards the passenger because that is the precise subject matter of the present invention.

According to Applicants' invention the "low E" coating is located on the inner surface of a structure facing the passenger. In contrast, with Russell, the "low E" coating is applied on the outside surface of an inner glass panel of a double glazing or as indicated above, if this thermal control film is theoretically used for a single substrate, it is applied so that it allows transmittance through the film of a majority of the infrared radiation which is exactly the opposite of the present invention.

According to Russell, the radiation exchange between an inner glass panel and an outer glass panel is suspended. Known double glazing provides that the heat or thermal conduction from the inside to the outside is reduced. This results in a rise of the actual temperature of the inside glass pane. The functionality of a coated double-glazing is described at page 3, second paragraph in the present application. Applicants' invention does not concern an arrangement for insulating against heat loss. According to the present invention, the thermal radiation, which has nothing in common with and is completely different than thermal conduction, is reflected by the "low E" coating.

It is also important to note that thermal radiation does not lead to a heating up of the interior air.

Each of independent claims 1, 18 and 20 define that the coating is applied to the inner surface of a glass panel or any surface facing the passenger whereas the reference to Russell has a coating applied to the outside surface of an inner glass panel of a double glazing. Any radiation exchange in Russell between the inner glass panel and the outer glass panel is stopped. Double glazing a window with insulation against loss of heat is known to reduce heat and/or thermal conduction from the inside to the outside.

Attached Exhibit A illustrates the above-discussed double panel structure of Russell with the coating for insulation against loss of heat to prevent radiation from the inside to the outside and the spacing between the two panels for reducing thermal conduction so that the outer glass panel is cold and the inner glass panel is warm. The present invention however, does not improve insulation or reduce heat loss.

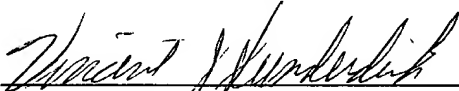
The secondary references of record, even accepting the statement of the rejection for their showings, add nothing towards meeting the claim limitations of independent claims 1, 18 and 20 which define subject matter, as discussed above, not shown or disclosed or made obvious by the reference to Russell.

Accordingly, Applicants respectfully urge the allowance of this application containing claims 1-12 and 15-22 including independent claims 1, 18 and 20.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #101280.49983US).

Respectfully submitted,



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September 22, 2004

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